

UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION

JASON K. STRATTON,

Plaintiff,

v.

Civil Action No. 5:16CV12204
Judge Irene C. Berger

ARCH COAL, INC., a foreign corporation,
MINGO LOGAN COAL COMPANY, a
foreign corporation, and ARCH COAL
GROUP, LLC, a foreign corporation,

Removed From Circuit Court of
Raleigh County, No. 16-C-724

Defendants.

**PLAINTIFF'S MOTION FOR LEAVE
TO FILE AMENDED COMPLAINT**

COMES NOW Plaintiff Jason K. Stratton, by counsel, and pursuant to Rule 15 of the Federal Rules of Civil Procedure hereby moves this Honorable Court for leave to file his Amended Complaint. The liberality of Rule 15 permits Mr. Stratton to amend his Complaint to bring additional causes of action which arises from his unlawful termination based upon newly discovered information. To wit, Mr. Stratton seeks to amend to allege that, in addition to the reasons set forth in the Complaint, he was also unlawfully terminated for his refusal to cover up his co-workers' work-related injuries. *See* proposed Amended Complaint, attached hereto as Exhibit 1. Plaintiff further alleges, based on earlier-made allegations that he was subjected to intentional infliction of emotional distress. *Id.* In support of his Motion for Leave, Plaintiff states that good cause exists and further incorporates herein by reference the accompanying memorandum of law.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court Grant Plaintiff's Motion for Leave to File Amended Complaint and further grant all other relief as the Court deems just and proper.

JASON K. STRATTON,
By Counsel,

/s/Amanda J. Taylor
Stephen P. New (WVSB#7756)
Amanda J. Taylor (WVSB#11635)
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CERTIFICATE OF SERVICE

COMES NOW Amanda J. Taylor, as counsel for Plaintiff, who hereby states that a true and exact copy of the **PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT** and **MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT** were filed with the Clerk of the Court on this 28th day of June, 2017, and said true and exact copy was served upon the Defendants via the CM/ECF system as follows:

C. David Morrison
Shawn A. Morgan
Kaitlin L. H. Robidoux
STEPTOE & JOHNSON PLLC
400 White Oaks Boulevard
Bridgeport, WV 26330
Counsel for Defendants

/s/ Amanda J. Taylor
Amanda J. Taylor (WVSB# 11635)